Government of Kerala
1976

Reg. No. KL/TV/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXI] Trivandrum, Wednesday, 1st December 1976 / 10th Agrahayana 1898 [No. 685

GOVERNMENT OF KERALA

Law (Legislation A) Department

NOTIFICATION

No. 18929-Leg. (A) 2/76/Law. *Dated, Trivandrum, 1st December 1976/ 10th Agrahayana 1898.*

The following Act of the Kerala State Legislature is hereby published for general information. The Bill as passed by the Legislative Assembly received the assent of the Governor on the 28th day of November, 1976.

By order of the Governor,

K. VISWANATHAN NAIR,
Additional Law Secretary.

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ACT 46 OF 1976

THE KERALA PAYMENT OF PENSION TO MEMBERS OF LEGISLATURE ACT, 1976

An Act to provide for the payment of pension to persons who have been Members of the Legislature.

Preamble.—WHEREAS it is expedient to provide for the payment of pension to persons who have been Members of the Legislature;

BE it enacted in the Twenty-seventh Year of the Republic of India a follows:—

1. *Short title and commencement.*— (1) This Act may be called the Kerala Payment of Pension to Members of Legislature Act, 1976.

(2) It shall come into force at once.

2. *Pension of Members of Legislature.*—(1) With effect from the commencement of this Act, there shall be paid a pension of two hundred and fifty rupees per mensem to every person who has served for a period of five years after the 15th day of August, 1947, as—

(i) a member of the Kerala Legislative Assembly; or

(ii) a member of the Legislative Assembly of the former State of Travancore or Travancore-Cochin or Madras, representing any territory which after the 1st day of November, 1956, forms part of the State of Kerala or a member of the Legislative Council or the Legislative Assembly of the former State of Cochin; or

(iii) a member of the Legislative Council of the former State of Madras and who during the period of such membership was a permanent resident in the Malabar district referred to in sub-section (2) of section 5 of the States Reorganisation Act, 1956 (Central Act 37 of 1956); or

(iv) partly as a member referred to in any of the preceding clauses and partly as a member referred to in any one or more of the other preceding clauses:

Provided that where any person has served as aforesaid for a period exceeding five years, there shall be paid to him an additional pension of fifty rupees per mensem for every year in excess of five, so, however, that in no case the pension payable to such person shall exceed four hundred and fifty

Explanation.—For the purposes of this section, a person shall be deemed to have served as a member of a Legislative Assembly during the period when that Legislative Assembly remains suspended under article 356 of the Constitution of India.

(2) Where any person entitled to pension under sub-section (1),—

(i) is elected to the office of the President or Vice-President of India or is appointed to the Office of the Governor of any State or the Administrator of any Union Territory; or

(ii) becomes a member of the Council of States or the House of the People or the Legislative Assembly of any State or Union Territory or the Legislative Council of a State or the Metropolitan Council of Delhi constituted under section 3 of the Delhi Administration Act, 1966; or

(iii) is employed on a salary under the Government of India or any State Government or any corporation owned or controlled by the Government of India or any State Government, or any local authority or becomes otherwise entitled to any remuneration from such Government, corporation or local authority,

such person shall not be entitled to any pension under sub-section (1) for the period during which he continues to hold such office or as such member, or is so employed, or continues to be entitled to such remuneration:

Provided that where the salary payable to such person for holding such office or being such member or so employed, or where the remuneration referred to in clause (iii) payable to such person, is, in either case, less than the pension payable to him under sub-section (1), such person shall be entitled to receive only the difference as pension under that sub-section.

Explanation.—For the purposes of this proviso, the term "salary" with reference to a Member of the Kerala Legislative Assembly means the sums to which a Member of the Kerala Legislative Assembly is entitled under clauses (a) and (aa) of sub-section (1) of section 8 of the Payment of Salaries and Allowances Act, 1951 (XIV of 1951).

(3) Where any person entitled to pension under sub-section (1) is also entitled to any pension from the Government of India or any State Government or any corporation owned or controlled by the Government of India or any State Government, or any local authority, under any law or otherwise, then,—

(a) where the amount of pension to which he is entitled under such law or otherwise, is equal to or in excess of that to which he is entitled under sub-section (1), such person shall not be entitled

(b) where the amount of pension to which he is entitled under such law or otherwise, is less than that to which he is entitled under sub-section (1), such person shall be entitled to pension under that sub-section only of an amount which falls short of the amount of pension to which he is otherwise entitled under that sub-section.

3. *Power to make rules.*—(1) The Government may, by notification in the Gazette, make rules for the purpose of carrying into effect the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for—

(a) the form in which and the authority to which application for pension shall be made;

(b) the certificates to be furnished along with an application for pension;

(c) any other matter which has to be, or may be, prescribed.

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before the Legislative Assembly, while it is in session, for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, the Legislative Assembly makes any modification in the rule or decides that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

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KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

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SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 9910/LA. 1/76. *Dated, Trivandrum, 1st December 1976.*

In exercise of the powers conferred by Clause (1) of Article 174 of the Constitution of India (as amended) the Governor of the State of Kerala hereby summons the Fourth Kerala Legislative Assembly to meet for its Sixteenth Session at 8.30 a. m. on Monday, December 20, 1976 in the Assembly Chamber, Secretariat Buildings, Trivandrum.

(ഭേദപ്പെടുത്തപ്പെട്ട) ഇൻഡ്യൻ ഭരണഘടനയുടെ 174-ാം വകുപ്പ് (1)-ാം ഖണ്ഡം നൽകുന്ന അധികാരങ്ങൾ വിനിയോഗിച്ച്, കേരളസംസ്ഥാന ഗവർണ്ണർ നാലാമത് കേരള നിയമസഭ അതിന്റെ പതിനാറാമത് സമ്മേളനത്തിലേക്കായി 1976 ഡിസംബർ 20-ാം തീയതി തിങ്കളാഴ്ച രാവിലെ 8.30 മണിക്ക് തിരുവനന്തപുരത്ത് സെക്രട്ടേറിയറ്റ് മന്ദിരത്തിലുള്ള നിയമസഭാ ഹാളിൽ സമ്മേളിക്കുന്നതാണെന്ന് ഇതിനാൽ അറിയിപ്പു നൽകുന്നു.

By order of the Governor,

DR. R. PRASANNAN,
Secretary to Legislature.

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TRIVANDRUM, 1976.

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Government of Krala
1976

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KIRALA GAZETTE

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GOVERNMENT OF KERALA

Health (G) Department

NOTIFICATION

No. 69555/G3/76/HD. *Dated, Trivandrum, 30th November 1976.*

S. R. O. No. 1218/76.—In exercise of the powers conferred by sub-section (1) of section 122 of the Travancore-Cochin Public Health Act, 1955 (16 of 1955), the Government of Kerala hereby declare that the area within 3 kilometres radius of the Vaikom Temple shall for the purpose of Chapter XIII of the said Act, be a festival area for thirteen days from 3-12-1976 to 15-12-1976 in connection with the Ashtami Festival at Vaikom Temple in Kottayam District.

By order of the Governor,

C. P. RAMAKRISHNA PILLAI,
Secretary.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport).

The Ashtami Festival in Vaikom Temple is to be celebrated from 3-12-1976. It is necessary to declare the area surrounding the temple as festival area under the Travancore-Cochin Public Health Act, 1955 for public health purposes. The notification is for the above purpose.

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1976

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KERALA GAZETTE

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GOVERNMENT OF KERALA

Revenue (S) Department

NOTIFICATION

I

No. 80659/S1/76/RD-1. *Dated, Trivandrum, 1st December 1976.*

S.R.O. No. 1234/76.—In exercise of the powers conferred by section 99 of the Kerala Land Reforms Act, 1963 (1 of 1964), the Government of Kerala hereby make the following amendments to their notification No. 52135/S1/74/RD dated the 28th December, 1974, published as S.R.O. No. 954/74 in the Kerala Gazette Extraordinary No. 860 dated the 28th December, 1974, as subsequently amended, namely:—

AMENDMENTS

In the Schedule to the said Notification,—

(1) under the heading "TRIVANDRUM DISTRICT", in columns (3) and (4) against serial number 1, the following entries shall be omitted, namely:—

(3)	(4)
"Special Tahsildar (Land Reforms)	Parassala
Special Tahsildar (Land Reforms)	Chirayinkil";

(2) under the heading "QUILON DISTRICT", for serial numbers 5, 6 and 7 and the entries against them in columns (2), (3) and (4), the following serial number and entries shall be substituted, namely:—

(1)	(2)	(3)	(4)
"5.	The area comprised in Quilon District	Special Tahsildar (Land Reforms)	Quilon
		Special Tahsildar (Land Reforms)	Karunagappally";

(3) under the heading "ALLEPPEY DISTRICT",—

(a) for the entries in column (2) against serial number 11, the following shall be substituted, namely:—

(2)

"The area comprised in Kuttanad Taluk";

(b) serial number 12 and the entries relating thereto shall be omitted;

(c) for the entries in columns (2), (3) and (4) against serial number 14, the following entries shall be substituted, namely:—

(2)	(3)	(4)
"The area comprised in Shertallai Taluk	Special Tahsildar (Land Reforms)	Shertallai
	Special Tahsildar (Land Reforms)	Thycattussery";

(d) serial numbers 14A and 15 and the entries relating thereto shall be omitted;

(e) for the entry in column (2) against serial number 17, the following entry shall be substituted, namely:—

(2)

"The area comprised in Karthigappally and Mavelikkara Taluks";

(f) in columns (3) and (4) against serial number 18, the following entries shall be omitted, namely:—

(3)	(4)
"Special Tahsildar (Land Reforms)	Chengannur";

(g) serial number 19 and the entries relating thereto shall be omitted;

(4) under the heading "PALGHAT DISTRICT",—

(a) after the entries in columns (3) and (4) against serial number 55, the following entries shall be inserted, namely:—

(3)	(4)
"Special Tahsildar (Land Reforms) III	Sreekrishnapuram";

(b) after the entries in columns (3) and (4) against serial number 56, the following entries shall be inserted, namely:—

(3)	(4)
Special Tahsildar (Land Reforms) VII	Pattambi";

(c) after the entries in columns (3) and (4) against serial number 57, the following entries shall be inserted, namely:—

(3)	(4)
"Special Tahsildar (Land Reforms) III	Thrithala
Special Tahsildar (Land Reforms) IV	Thrithala";

(5) under the heading "MALAPPURAM DISTRICT",—

(a) after the entries in columns (3) and (4) against serial number 64, the following entries shall be inserted, namely:—

(3)	(4)
"Special Tahsildar (Land Reforms) III	Ponnani";

(b) after the entries in columns (3) and (4) against serial number 68, the following entries shall be inserted, namely:—

(3)	(4)
"Special Tahsildar (Land Reforms) V	Kondotti
Special Tahsildar (Land Reforms) VI	Kondotti";

(under the heading "KOZHIKODE DISTRICT",—

(a) after the entries in columns (3) and (4) against serial number 78, the following entries shall be inserted, namely:—

(3)	(4)
"Special Tahsildar (Land Reforms) IV	Balussery";

(b) for the entries in columns (3) and (4) against serial number 86, the following entries shall be substituted, namely:—

(3)	(4)
"Special Tahsildar (Land Reforms) I	Kalpetta
Special Tahsildar (Land Reforms) II	Kalpetta".

This notification shall come into force with effect on and from the 1st day of December, 1976.

By order of the Governor,

M. K. Bhaskaran,
Joint Secretary to Government.

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport).

Taking into account the existing work-load with the Land Tribunals at the various places in the State, it is felt that some re-distribution of the available Land Tribunals is necessary to achieve fair distribution of work among them. The notification is intended to achieve the above purpose.

NOTIFICATION

II

No. 80659/S1/76/RD-2. *Dated, Trivandrum, 1st December 1976.*

S. R. O. No. 1235/76.—In exercise of the powers conferred by sub-section (1) of Section 99 of the Kerala Land Reforms Act, 1963 (1 of 1964), the Government of Kerala hereby make the following amendments to their notification No. 39068/S1/75/RD-2 dated the 12th August, 1975, published as S.R.O. No. 704/75 in the Kerala Gazette Extraordinary No. 460 dated the 12th August, 1975, as subsequently amended, namely:—

Amendments

In the said notification,—

(1) in the preamble, for the figures, brackets and word "47 (Fortyseven)", the figures brackets and word "48 (Fortyeight)", shall be substituted;

(2) in the schedule,—

(a) serial numbers 2, 10, 35 and 38 and the entries against them shall be omitted;

(b) after serial number 27, the following shall be inserted, namely:—

Serial Number	Headquarters
"27A	Ottappalam";

(c) after serial number 29A, and the entry against it the following shall be inserted, namely :—

Serial number	Headquarters
"29B	Badagara";

(d) after serial number 45A, and the entry against it the following shall be inserted, namely:—

Serial number	Headquarters
"45B	Malappuram
45C	Malappuram
45D	Malappuram".

This notification shall come into force with effect on and from the 1st day of December, 1976.

By order of the Governor,

M. K. BHASKARAN,
Joint Secretary to Government.

Explanatory Note

(This docs not form part of the notification but is intended to indicate its general purport).

Taking into account the volume of work in the Land Tribunals dealing with tenancies involved in Annuity cases, it is felt that a redistribution of the existing Land Tribunals in certain places is necessary for equitable distribution of work and also for the speedier disposal of applications. The notification is intended to achieve the above purpose.

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